

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Auzio Hewlett,

Case No. 18-cv-2293 (WMW/LIB)

Petitioner,

ORDER

v.

Warden,

Respondent.

This matter is before the Court on Petitioner Auzio Hewlett's motion for reconsideration of the Court's August 5, 2019 Order, which denied Hewlett's petition for a writ of habeas corpus. (Dkt. 22.)

Under the Local Rules, a party may file a motion to reconsider only with the Court's prior permission and after establishing "compelling circumstances." LR 7.1(j). Motions to reconsider serve "a limited function: to correct manifest errors of law or fact or to present newly discovered evidence." *Hagerman v. Yukon Energy Corp.*, 839 F.2d 407, 414 (8th Cir. 1988) (internal quotation marks omitted). Such motions may not serve as "a vehicle to introduce new evidence" that could have been raised during the pendency of the earlier motion or "serve as the occasion to tender new legal theories for the first time." *Id.* (internal quotation marks omitted).

Hewlett has not sought permission to file the pending motion to reconsider. But even construing Hewlett's *pro se* filing as a *request* to file a motion for reconsideration,

the Court denies Hewlett's request. Hewlett's filing does not demonstrate any compelling circumstances warranting permission to file a motion to reconsider. *See* LR 7.1(j).

Accordingly, based on the foregoing analysis and all the files, records and proceedings herein, **IT IS HEREBY ORDERED** that Petitioner Auzio Hewlett's motion to reconsider, (Dkt. 22), is **DENIED**.

Dated: August 29, 2019

s/Wilhelmina M. Wright
Wilhelmina M. Wright
United States District Judge